

SEP-30-2004 13:39

BC IP DIVISION

5136261355 P.01/07

## Procter & Gamble – Intellectual Property Division

### IMPORTANT CONFIDENTIALITY NOTICE

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## FACSIMILE TRANSMITTAL SHEET & CERTIFICATE OF TRANSMISSION UNDER 37 CFR §1.8

**TO:** Assistant Commissioner of Patents  
Mail Stop Missing Parts  
Alexandria VA 22313  
Fax No. (703) 746-4060

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 30, 2004, to the above-identified facsimile number.*

(Signature)

**FROM:** Kenya T. Pierre  
Fax No. (513) 626-1355  
Phone No. (513) 626-4055

Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) Response to Notice to File Missing Parts, and one copy for authorization to charge fee to Deposit Account;
- 2) Signed Declaration – 2 pages;
- 3) Copy of Notice to File Missing Parts of Provisional Application dated 06/24/04 – 2 pages.

Number of Pages Including this Page: 7

In the application of  
Steven Daryl Smith et al.  
Serial No. 10/824,128  
Filed 04/14/2004  
Case 9210M

:  
: Confirmation No. 6439  
: Group Art Unit 1615  
: Examiner

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P&amp;G Case 9210M

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Steven Daryl Smith et al. : Confirmation No. 6439  
Serial No. 10/824,128 : Group Art Unit 1615  
Filed 04/14/2004 : Examiner

For Anhydrous, Silicone Modified Fluorinated Polymers for Transfer-Resistant Cosmetic Lip  
Compositions

COMPLETION OF FILING REQUIREMENTS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

[x] This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 06/24/2004. A copy of the Notice to File Missing Parts of Application-Filing Date Granted (Form PTO-1533) is enclosed.

[x] The declaration or oath that was filed was determined to be defective or incomplete.

A copy of the new original, signed oath or declaration is attached.

[X] The Director is hereby authorized to charge payment of the surcharge set forth in 37 CFR §1.16(e) to Deposit Account No. 16-2480. The Director is also hereby authorized to charge payment of any patent application processing fees under 37 C.F.R. §§1.16 and 1.17 associated with this communication or credit any over-payment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.

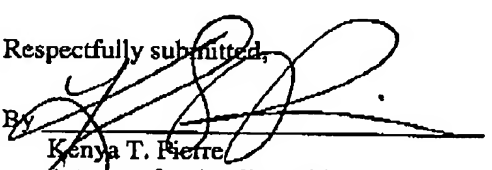
[x] The Commissioner is hereby petitioned under 37 C.F.R. 1.136(a) to grant any extension of time needed for timely response to the Notice to File Missing Parts to preserve the pendency of the above-identified application. The processing fee under 37 C.F.R. §1.136(a) is as follows:

[x] \$ 410.00 for two-month extension of time;

The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Respectfully submitted,

By

  
Kenya T. Pierre  
Attorney for Applicant(s)  
Registration No. 50,165  
(513) 626-4055

Date: 09/30/2004

Customer No. 27752

10/04/2004 HBERHE 00000019 162480 10624128

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,128	04/14/2004	Steven Daryl Smith	9210M

27752  
THE PROCTER & GAMBLE COMPANY  
INTELLECTUAL PROPERTY DIVISION  
WINTON HILL TECHNICAL CENTER - BOX 161  
6110 CENTER HILL AVENUE  
CINCINNATI, OH 45224

CONFIRMATION NO. 6439

## FORMALITIES LETTER

FORMALITIES LETTER  
\*OC000000013058067\*

Date Mailed: 06/24/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

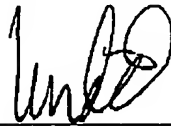
*A copy of this notice **MUST** be returned with the reply.*

10/04/2004 HBERHE 00000019 162480 10824128  
01 FC:1051 130.00 DA

SEP-30-2004 13:40

BC IP DIVISION

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page 2 of 2



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE